

RESOLUTION

NUMBER 226-21

**(SCHEDULE A PUBLIC HEARING ON A LOCAL LAW REGULATING STREETS,
SIDEWALKS, AND OPENINGS THEREOF)**

WHEREAS, the Supervisor and Town Board periodically update the Town Code; and

WHEREAS, the Director of the Department of Environmental Services and the Town Attorney's Office have drafted proposed amendments to ensure that roads are repaired in the proper manner after infrastructure improvements are installed;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the scheduling of a public hearing at its September 21, 2021 Meeting for the proposed adoption of Town Code amendments pertaining to the regulation of streets, sidewalks, and openings thereof.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted August 10, 2021
At a Regular Meeting
Held at Town Hall**

DRAFT

RESOLUTION

NUMBER _____

**(RE: NEGATIVE DECLARATION RE: STREETS, SIDEWALKS AND OPENINGS
THEREOF)**

WHEREAS, the Town Board of the Town of Cortlandt has expressed its intent to consider, after conducting a Public Hearing hereon, a Local Law to replace Chapter 261 of the Town Code “Streets and Sidewalks”; and

WHEREAS, in accordance with the requirements of the New York State Environmental Quality Review Act (“SEQRA”), the Town Board must make a determination as to the Environmental Impact of this proposed action; and

WHEREAS, in accordance with 6 NYCRR, Part 617.6, the Town Board is the only Agency required to approve the proposed action, and is therefore the Lead Agency; and

WHEREAS, a short Environmental Assessment Form has been prepared, signed by the Supervisor, and accepted by the Town Board; and

WHEREAS, the Town Board has duly considered all of the environmental aspects of the proposed action;

NOW, THEREFORE, BE IT RESOLVED, based on a review of the Project, there appear to be no significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, that based upon the Environmental Assessment Form submitted to and reviewed by the Town Board, that this is an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon the Environmental Assessment Form, the Town Board of the Town of Cortlandt does hereby **ADOPT** the attached **NEGATIVE DECLARATION** with respect to this matter.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

Local Law No. ___ of 2021**(A Local Law To Replace Chapter 261 of the Town of Cortlandt Code: “Streets and Sidewalks”)****Section 1: Legislative Intent**

The Town of Cortlandt has always been very accommodating to companies who request to install infrastructural upgrades within Town roadbeds on behalf of Con Edison. However, companies performing these upgrades have recently taken excessive time to restore these roads to their original conditions. This Local Law is intended to provide the Town with more stringent control and enforcement measures to ensure that companies that disturb the Town’s network of roadways promptly restore them.

Section 2: Replacement of Chapter 261 of the Town Code

The following provisions shall replace the current language found in Chapter 261 of the Town Code (“Streets and Sidewalks”):

Article I. Obstructions, Poles, Wires and Rubbish**§ xxx-1. Permit required to obstruct.**

No person shall obstruct any street, sidewalk, public easement or other public place without first securing a written permit from the Town of Cortlandt Department of Environmental Services and complying with such regulations affecting obstructions as the Department of Environmental Services may prescribe. No owner or lessee of any premises in the Town shall permit any goods, wares or merchandise owned or controlled by him to be kept, stored, displayed or sold on or directly above any sidewalk adjoining such premises. No owner or lessee of any premises in the Town shall permit any refuse or waste from such premises to be kept or stored on or directly above any sidewalk adjoining such premises without first securing a written permit from the Director of the Department of Environmental Services and complying with such regulations and restrictions as may be prescribed in such written permit.

§ xxx-2. Poles and wires.

No person shall, without first securing a written permit from the Town of Cortlandt Department of Environmental Services, erect or cause to be erected or change the location of any telephone, telegraph or electric light or electric transmission pole in or string any wires or construct any conduit over or upon any public street, sidewalk, park or other public place.

§ xxx-3. Rubbish and obstruction of public places and watercourses.

No person shall throw or cause to be thrown in any street, park or other public place or in any public drain, ditch or watercourse any rubbish or other solid matter or cause any obstruction or injury to any such drain, ditch or watercourse or divert or stop the flow thereof.

Article II. Openings (Excavations in Pavement, Sidewalk and Right of way)

§ xxx-4. Permit required; fees and deposits to be paid.

No person shall open or cause to be opened the surface pavement or soil in any portion of the public right-of-way, public easement, park or other public place, without first securing a written permit from the Town of Cortlandt Department of Environmental Services. No work shall be performed in the Town of Cortlandt between November 1st and April 30th except in cases of emergencies. Prior to the issuance of a permit; the applicant shall pay the fees and deposits fixed by resolution of the Town Board.

§ xxx-5. Responsibility for repairs and restoration.

In the case of openings for sewers, drains, water, gas, telephone or other public utility purposes, the applicant for the permit is responsible for the temporary repair of the opening within the public right-of-way, public easement, park or other public place and must pay the fees and deposits fixed by resolution of the Town Board. Any work done on any portion of a roadway shall require **repaving in conformance with the Town of Cortlandt's "Minimum Pavement Restoration Limits" guidelines**. In such case, the Director of the Town of Cortlandt Department of Environmental Services, in his or her discretion, at the time of issuing the permit, may authorize the applicant for the permit to do all the work required for permanent restoration of any opening within said public right-of-way, public easement, park or other public place and pay the fees and deposits fixed by resolution of the Town Board. In the event that the Town of Cortlandt Department of Environmental Services does not authorize the applicant for such permit to do any of the work required for the permanent restoration of the opening within the public right-of-way, public easement, park or other public place, the regular fees fixed by resolution of the Town Board for this purpose shall still apply. Prior to the issuance of any permits, a performance bond shall be provided to the Town. The performance bond shall equal the price to fully repave all impacted surfaces. This includes an entire roadway.

§ xxx-6. Multiple adjacent openings.

In case two or more adjacent or neighboring openings are made at one time, the Town of Cortlandt Department of Environmental Services may allow the same under one permit, charging therefore only one fee for issuing the permit but separate fees for the restoration and inspections.

§ xxx-7. Replacement of concrete slabs.

Whenever a concrete slab is cut or broken while excavating for work, the area to be replaced shall include a full slab unless otherwise approved in writing by the Town of Cortlandt.

§ xxx-8. Replacement of curbing.

Any curbing removed by any person shall be reset or replaced. Any person failing to restore curbing to its original condition shall be required to pay an additional fee as fixed by resolution of the Town Board. All newly constructed or substantially improved homes shall be required to

install, replace or re-set curbing (IN KIND) along the edge of pavement adjacent to the entire property as directed by the Town of Cortlandt Department of Environmental Services.

§ xxx-9. Additional fees for macadam and concrete sidewalks.

In the case of openings made in macadam or concrete sidewalks, a fee as fixed by resolution of the Town Board in addition to any other required fee shall apply.

§ xxx-10. Limits on multiple openings.

In no case shall permits be granted to anyone other than a public service corporation for more than five openings to be made simultaneously for the area being permitted.

§ xxx-11. Fees and deposits.

The following fees and deposits for restoration shall be fixed by resolution of the Town Board pursuant to this section:

A. In the cases of openings in cinder or dirt roadways:

- (1) For permit.
- (2) For restoration.
- (3) Inspection.

B. In the cases of openings in macadam or similarly paved roadways:

- (1) For permit.
- (2) For restoration.
- (3) Inspection.

C. In the cases of openings in concrete roadways or roadways with a concrete base:

- (1) For permit.
- (2) For restoration.
- (3) Inspection.

D. In case openings exceeding four square yards in area are made in the traveled or paved portion of roadways, additional fees for repairs shall be paid for areas in excess of four square yards, at a rate fixed by resolution of the Town Board:

- (1) In cinder or dirt roadways.
- (2) In macadam or similarly paved roadways.
- (3) In concrete roadways or roadways with a concrete base.

E. In the case of openings in macadam sidewalks.

F. In the case of openings in concrete sidewalks.

G. For failure to restore curbing to its original condition.

H. In the case of connections made to the Town sanitary sewer system.

I. In the case of connections made to the Town storm sewer system.

§ xxx-12. Insurance.

For street openings, sidewalk openings or any excavation in a public place totaling 500 square feet or less, no permit shall be issued for any such opening until the person desiring to make such opening or the person for whom it is to be made shall furnish to the Town insurance, evidenced by a certificate of insurance naming the Town as additional insured, in form satisfactory to the Town Attorney, with limits of not less than \$1,000,000 for any one person and not less than \$3,000,000 in the aggregate for personal injury, and not less than \$1,000,000 for any one accident and \$3,000,000 in the aggregate for property damage, insuring the Town, its officers, employees and agents against any liability for personal injury or property damage, directly or indirectly resulting from or arising out of the granting of any such permit or any such opening or the method and manner of doing any work permitted or required by any such permit or under this article or any negligent act or omission in connection therewith on the part of the permittee, his employees or agents, provided that a public service corporation may, at its option, file an undertaking, in form satisfactory to the Town Attorney, to indemnify and save harmless the Town, its officers, employees and agents from any such liability, covering all openings made by it.

§ xxx-13. Compliance required; requirements.

The person to whom the permit is issued shall see that the requirements contained in this article are observed.

- A. Any excavation, other than for paving, within the right-of-way shall be made by hand and not by power-driven equipment, unless by special permission of the Town of Cortlandt Department of Environmental Services.
- B. All excavations shall be by open cut, unless by special permission of the Town of Cortlandt Department of Environmental Services.
- C. All trenches shall be backfilled using K-Crete 50 in the traveled way or under sidewalks; trenches outside the traveled way shall be backfilled with K-Crete 50 or with excavated soil tamped in layers not exceeding 12 inches in depth.
- D. All work done under any permit issued hereunder, whether directly by the permittee or by others to whom the work is contracted to shall conform to the requirements of the Town of Cortlandt Department of Environmental Services and shall be under full supervision of the permittee, who shall be solely responsible for the completed work.
- E. If road plates are to be used for temporary closing of a trench they shall be recessed and pinned in accordance with the provided "Town of Cortlandt Road Plate Requirements" document provided with the permit. No road plates shall be left in place for more than 24 hours and at no

time shall a trench excavation length exceed 2 pipe lengths before the temporary or permanent repair is completed.

- F. The Town of Cortlandt reserves the right to hire a third party inspection service/inspector to oversee the opening and restoration of any work performed in the public right-of-way, public easement, park or other public place. All fees associated with this service shall be paid by the applicant prior to the issuance of any permit by the Town of Cortlandt Department of Environmental Services. This shall be determined by the Town of Cortlandt at the time of the application for such permit.
- G. At the request of the Town of Cortlandt Department of Environmental Services, the applicant must supply a detailed maintenance and protection of traffic (MPT) plan, as per New York State DOT standards, showing the area of proposed work, all signage to be installed, detour routes, location of traffic control personnel, proposed lane closures, or any other requirement specified by the Town of Cortlandt Department of Environmental Services. The use of the appropriate police agency may be required for additional traffic control. The expense for such personnel usage shall be paid by the applicant. After the Town of Cortlandt Department of Environmental Services approves the MPT plan, the applicant must submit the approved MPT plan to all Town emergency service agencies.

§ xxx-14. Temporary repairs.

The permittee is responsible for the temporary repair of the trench. Temporary trench repair is to consist of two inches of asphalt concrete placed on top of the K-Crete backfill and level with the existing road surface.

§ xxx-15. Time limit for work; closing trench for noncompliance.

The Town of Cortlandt Department of Environmental Services may prescribe the time when the work shall be done and the length of time that any trench or other excavation may remain open. The Director or his or her representative may cause any such trench or opening to be filled up or closed at the expense of the person to whom the permit is issued in case of noncompliance with the terms of such permit or other conditions prescribed at any time by the Town of Cortlandt Department of Environmental Services.

§ xxx-16. Permanent trench repair.

Temporary trenches shall be widened a minimum of one foot beyond the original cut or any crack developed from the adjacent pavement settling because of the excavation. Asphalt thickness and materials shall conform to the standard construction details maintained by the Town of Cortlandt Department of Environmental Services. All final pavement restoration limits shall follow the guidelines depicted in the “Minimum Pavement Restoration Limits” diagram as adopted by the Town Board, and amended from time to time. The “Minimum Pavement Restoration Limits” diagram shall be maintained by the Town of Cortlandt Department of Environmental Services. The edges of all trenches shall receive a liberal application of asphaltic emulsion to seal edges.

§ xxx-17. Protection around opening.

The person to whom the permit is issued shall maintain sufficient guards, barricades, lights or watchmen to protect persons and property against injury and damage by reason of any such opening.

Article III. Drainage

§ xxx-18. Connection to public stormwater drainage system.

No person shall connect any drain designed to conduct storm-, surface or subsurface water with any part of the public storm water drainage system until the plans thereof drawn to scale shall have been filed with and approved by the Town of Cortlandt Department of Environmental Services and his or her designee has issued the written permit. No person shall backfill any trench in which such drain is laid or constructed until the Director of the Town of Cortlandt Department of Environmental Services and his or her designee shall have inspected the same and issued written approval.

§ xxx-19. Drainage onto streets and sidewalks.

Except in case of temporary emergency, no person shall cause or permit any water or other liquid to be pumped or forced to run from or out of any building or premises upon or across any sidewalk or curbstone or into any street without first securing a written permit from the Town of Cortlandt Department of Environmental Services.

Article IV. Culverts and Gutters

§ xxx-20. Culverts.

No person shall construct, alter, repair or remove any culvert along or near to the line of the gutter of any public street without first securing a written permit from the Town of Cortlandt Department of Environmental Services and complying with such specifications as the Town of Cortlandt Department of Environmental Services may prescribe. In case any such culvert under any private entrance shall become broken or damaged or insufficient to properly carry off the water flowing thereto, the owner of the premises for which such private entrance is provided shall, upon demand of the Town of Cortlandt Department of Environmental Services, forthwith reconstruct the same in accordance with such specifications as the Town of Cortlandt Department of Environmental Services may prescribe.

§ xxx-21. Interference with gutters or roadside swales.

No person shall obstruct, or construct any structure interfering or tending to interfere with the free and open operation of, any gutter or roadside swale of any public street without first securing a written permit from the Town of Cortlandt Department of Environmental Services and complying with such specifications as the Town of Cortlandt Department of Environmental Services may prescribe.

Article V. Sidewalks

§ xxx-22. Snow and ice removal.

- A. The owner, lessee, tenant, occupant or other person having charge of any building or lot abutting upon any paved sidewalk **could be required by the Town, in conformance with a comprehensive plan, to** keep the sidewalk adjacent to such building or lot free and clear of snow and ice; provided, however, that failure to clear snow or ice from a sidewalk within a period of four hours, not including the time between 9:00 p.m. and 7:00 a.m., after the snow ceases to fall or the ice to form shall not be deemed a violation of this section. In case the snow or ice on the sidewalk shall be frozen so hard that it cannot be removed without injury to the pavement, such person shall, as soon thereafter as the weather shall permit, remove the same and, in the meantime, cause the sidewalk adjacent to such building or lot to be strewed with ashes, sand, sawdust or similar material.
- B. No act of the Town in removing snow or ice from any such sidewalk shall affect **any** obligation imposed by this section on such person.

§ xxx-23. Curb cuts.

No person shall lower any curb or change the grade of any sidewalk for the purpose of providing vehicular access across such curb or sidewalk without first securing a written permit from the Town of Cortlandt Department of Environmental Services and complying with the following requirements:

- A. Application shall be made, in writing, by the owner of record of the abutting premises to the Town of Cortlandt Department of Environmental Services. Such application shall set forth the points at which such vehicular access shall begin and end in relation to curb- and property lines and the materials of which it shall be constructed.
- B. The Town of Cortlandt Department of Environmental Services shall not grant a permit to lower any curb or change the grade of any sidewalk for the purpose of providing vehicular access across such curb or sidewalk when, in his or her opinion, the actual or intended use of such vehicular access would endanger pedestrians or traffic.
- C. Prior to the granting of any such permit, the Town of Cortlandt Department of Environmental Services shall charge a fee and shall require a cash deposit per linear foot of the width of the proposed curb cut, which deposit shall be refunded upon completion of the curb cut to the satisfaction of the Town of Cortlandt Department of Environmental Services. The Town of Cortlandt Department of Environmental Services shall charge a fee for the inspection of the completed curb cut and may make such rules for the proper care and cleaning of such curb cut as the Director deems advisable. All fees pursuant to this section shall be fixed upon resolution of the Town Board.
- D. No such permit shall be issued until the applicant shall furnish the Town insurance, in a form satisfactory to the Town Attorney, with limits of not less than \$1,000,000 for any one person and not less than \$3,000,000 in the aggregate for any one accident for personal injury and not less than \$1,000,000 for any one accident and \$3,000,000 in the aggregate for property damage, insuring the Town, its officers, employees and agents against any liability or personal injury or

property damage, directly or indirectly resulting from or arising out of the granting of any such permit or the making of such curb cut or the method and manner of doing any work permitted or required by any such permit or under this section or any negligent act or omission in connection therewith on the part of the permittee, its employees or agents.

- E. Every such curb cut shall be constructed under the supervision and subject to the direction of the Town of Cortlandt Department of Environmental Services and on condition that, upon failure to comply with the terms of the permit, the Town of Cortlandt Department of Environmental Services may revoke the permit and cause the curb and sidewalk to be restored to their original condition at the expense of the owner of record of the abutting premises.
- F. Should the use of the curb cut, in the opinion of the Town of Cortlandt Department of Environmental Services, be or become dangerous to pedestrians or traffic, the Town of Cortlandt Department of Environmental Services shall mail a written notice to the owner of record of the abutting premises to discontinue use of such curb cut and to restore such curb and sidewalk to the original condition within 10 days of the mailing of the notice, and such owner shall comply with such notice within 10 days. If such owner shall fail to so comply with such notice, the Town of Cortlandt Department of Environmental Services may revoke the permit and cause the curb and sidewalk to be restored to their original condition at the expense of the owner of record of the premises.
- G. In case any part of a curb cut shall not be paved, repaved or repaired according to reasonable requirements of the Town of Cortlandt Department of Environmental Services, the Town of Cortlandt Department of Environmental Services shall mail a written notice to the owner of the abutting premises directing that the same be so paved, repaved or repaired, as the case may be. Such owner shall comply with such notice within 10 days. If said owner fails to comply with such notice, the Town of Cortlandt Department of Environmental Services may cause the curb cut to be paved, repaved or repaired, as the case may be, at the expense of such owner.
- H. The owner of a lot may appeal from any decision of the Town of Cortlandt Department of Environmental Services. The appellant shall submit an application to the Town Clerk's Office to be reviewed by an Appeals Committee consisting of the Town Attorney, Director of the Department of Technical Services, and the Town Planner or any of their designees within 60 days after the decision to deny a curb cut permit, with an informational copy to the Town of Cortlandt Department of Environmental Services. This appeal shall include a statement of guaranty that all expenses for any required opinion obtained from an independent consulting traffic engineer shall be paid by the appellant and shall be accompanied by a fee as set by resolution of the Town Board.
- I. The Appeals Committee may grant a waiver from the decision of the Town of Cortlandt Department of Environmental Services. In making its decisions, the Appeals Committee must find that the result will, in its judgment, not be in conflict with the public health, welfare and, in particular, with considerations of traffic safety and may attach appropriate conditions and safeguards to such waiver.
- J. The Town of Cortlandt Department of Environmental Services is authorized to promulgate standards and guidelines for the construction and maintenance of driveways. Such standards and guidelines shall be filed with the Town Board upon promulgation.

Article VI. Penalties

§ xxx-31. Penalties for offenses.

Unless otherwise provided, any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$500 per day for the first two days of the violation and then \$1,000 per day thereafter or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute a separate and distinct offense hereunder for each day the offense is continued.

Section 3. Severability

If any section or subdivision, paragraph, clause, phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

RESOLUTION

NUMBER 251-21

**(RE: SCHEDULE A PUBLIC HEARING FOR OCTOBER 19, 2021
REGARDING ENHANCED VETERAN'S EXEMPTIONS)**

RESOLVED, that the Town Board of the Town of Cortlandt, Westchester County, New York will conduct **PUBLIC HEARING** on the 19th day of October, 2021 at 7:00 o'clock P.M., prevailing time, or as soon thereafter as possible, in the Vincent F. Nyberg General Meeting Room of the Town Hall located at One Heady Street, Cortlandt Manor, New York regarding Enhanced Veteran's Exemption.

All persons interested in this proposed action will be heard at this time, date and place specified above, and written comments in regard thereto should be submitted to the Town Clerk no later than 4:00 pm, of the day of said Public Hearings to be included in the transcript of the proceedings of this hearing.

The Town Hall is a handicapped accessible facility.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted September 21, 2018
At a Regular Meeting
Held at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

(RE: NEGATIVE DECLARATION RE: INCREASING VETERAN'S TAX EXEMPTION)

WHEREAS, the Town Board of the Town of Cortlandt has expressed its intent to consider, after conducting a Public Hearing hereon, a Local Law increasing Veteran's Tax Exemptions; and

WHEREAS, in accordance with the requirements of the New York State Environmental Quality Review Act ("SEQRA"), the Town Board must make a determination as to the Environmental Impact of this proposed action; and

WHEREAS, in accordance with 6 NYCRR, Part 617.6, the Town Board is the only Agency required to approve the proposed action, and is therefore the Lead Agency; and

WHEREAS, a short Environmental Assessment Form has been prepared, signed by the Supervisor, and accepted by the Town Board; and

WHEREAS, the Town Board has duly considered all of the environmental aspects of the proposed action;

NOW, THEREFORE, BE IT RESOLVED, based on a review of the Project, there appear to be no significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, that based upon the Environmental Assessment Form submitted to and reviewed by the Town Board, that this is an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon the Environmental Assessment Form, the Town Board of the Town of Cortlandt does hereby **ADOPT** the attached **NEGATIVE DECLARATION** with respect to this matter.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted on October 19, 2021
At a Regular Meeting
Held at Town Hall**

Local Law No. ___ of 2021**(A Local Law Increasing Veterans Tax Exemptions)****Section 1: Legislative Intent**

The Supervisor and Town Board have tremendous gratitude for the service of our Veterans. Recently, the State passed legislating authorizing local municipalities to increase the Tax Exemptions provided to Veterans. The Town honors its Veterans with events, memorials, and more recently, banners alongside roads. It will now extend the Veteran's Tax Exemptions to the maximum permitted under Section 458 and related sections of the Real Property Tax Law.

Section 2: Increase in Veterans Tax Exemptions

The Non-Combat Veterans exemption will increase from 826 to 1,125 or 15% of assessed value, whichever is less;

The Combat Veterans exemption will increase from 551 to 750 or 10% of assessed value, whichever is less. The Combined exemption amount for Combat veterans remains 25%; and

The Disabled Veterans exemption will increase from 2,754 to 3,750. The exemption amount is calculated at 50% of the disability rating, not to exceed 3,750.

Section 3. Severability

If any section or subdivision, paragraph, clause, or phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

DRAFT

RESOLUTION

NO.

**(AUTHORIZE THE TOWN ATTORNEY AND TOWN COMPTROLLER TO
NEGOTIATE WITH WESTCHESTER COUNTY TO INCREASE DEDICATED
COUNTY POLICE PATROLS WITHIN THE TOWN
AS PROPOSED IN THE SPRING 2021 COMMUNITY AND PRECISION
POLICING PROPOSAL)**

WHEREAS, approximately two decades ago, the Town of Cortlandt removed its own municipal police force after securing contracts for police personnel from the State and Westchester County; and

WHEREAS, this has worked out extremely well for the Town's residents in that they are served by excellent police without the cost of maintaining a municipal police force; and

WHEREAS, as part of this plan, the State Police have paid off the bond cost for the barracks located on Memorial Drive, and the Town now receives a nearly \$100,000 payment per year from the State Police for the use of the barracks; and

WHEREAS, the Town's residents already pay County taxes which fund the County police; and

WHEREAS, having the Westchester County Police patrol the area has led to impressive cost-savings, in that the Town could avail itself to the use of K-9 services and specialized equipment in emergencies, such as helicopters, without the Town being responsible for the entire costs of these services; and

WHEREAS, the Town formed a committee to review policing within the Town of Cortlandt, which was chaired by Councilman Jim Creighton; and

WHEREAS, one common theme from the task force was that its members were interested in more community policing to help with quality of life issues, such as loud mufflers and speeding on local roads; and

WHEREAS, after the Town's task force completed its report, the Westchester County Department of Public Safety approached the Town about the addition of one Westchester County police officer; and

WHEREAS, the Department of Public Safety made an informative presentation at a Town Board Work Session, and the Supervisor and Town Board now desire staff to work with the County on the formation of an amended contract;

NOW, THEREFORE, BE IT RESOLVED that Town Attorney's Office and the Comptroller's Office are authorized to negotiate with Westchester County for the addition of a Westchester County Police Officer who would be focused on community policing.

BE IT FURTHER RESOLVED that Town staff is directed to pursue federal and state grants to reduce any costs associated with this proposed community policing enhancement.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROU ROSE SHATZKIN
TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

DRAFT

RESOLUTION

DRAFT

NO.

(CONFIRM STATUS OF ABERDEEN ROAD AS A TOWN ROAD)

WHEREAS, the Subdivision Plat known as “Little Flower Estates” was filed with the Westchester County Clerk’s Office as Map 26952; and

WHEREAS, this Plat included Aberdeen Road, which was improved to Town standards; and

WHEREAS, the Town has historically treated Aberdeen Road as a Town road;

NOW, THEREFORE, BE IT RESOLVED, that Aberdeen Road is confirmed as a Town road.

BE IT FURTHER RESOLVED that the Town Clerk is authorized to file this Resolution with the Westchester County Clerk’s office.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

Local Law No. ___ of 2021**(Adoption of Zoning Text Amendments Pertaining to Active Adult Residential Communities)****Section 1: Legislative Intent**

Periodically, property owners and contract-vendees petition the Town Board for Zoning Text Amendments based on changing market conditions. The Town Board received a Zoning Text Petition dated February 2, 2021 seeking to amend the Town Code to allow for Active Adult Residential Communities. An Active Adult Residential Community would provide the Town of Cortlandt housing for seniors at an affordable price, which accomplishes multiple housing goals from the Town's most recent award-winning Master Plan.

Section 2: Amendment to Section 307-4 ("Definitions") of the Zoning Code

The definition for an "Active Adult Residential Community" shall be added as follows:

"A building or buildings containing dwelling units specifically designed for and limited to residents, at least one of whom is aged 55 and older. No full-time medical care shall be provided on the Property."

Section 3: Amendment to Article XI: Additional Special Permit Standards and Conditions for Specific Uses

A new section for an "Active Adult Residential Community" shall be added as a special permit use granted by the Planning Board with the following standards and conditions:

1. Minimum lot area: 8 acres
2. Maximum Density: 17 units per acre
3. Maximum Building Height: 50 feet with no more than 3 stories
4. Maximum Floor Area: 135,000 square feet
5. Required Parking: 1.0 spaces per dwelling unit
6. Frontage and primary access on a State Road or on Oregon Road
7. Connected to Public Water and Sewer
8. The requirements of this provision shall not be varied by the Zoning Board of Appeals

Section 4: Amendment to the Table of Permitted Uses

The Table of Permitted Uses shall be amended to permit an "Active Adult Residential Community" by Special Permit in a Community Commercial (CC) District.

Section 5: Amendment to Table of Off-Street Parking Spaces

Section 307-29(C) of the Town Code shall be amended to require 1.0 parking spaces per dwelling unit for an Active Adult Residential Community.

Section 6: Severability

If any section or subdivision, paragraph, clause, phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 7: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

DRAFT

DRAFT

RESOLUTION

NO.

(APPROVE RECREATION FEES FOR PROPOSED DEVELOPMENT AT 119 OREGON ROAD)

WHEREAS, there is a proposed project to be located at 119 Oregon Road, which would replace the existing Colonial Terrace catering hall with an Active Adult Residential Community; and

WHEREAS, all of the 135 units in the proposed Active Adult Residential Community will meet Westchester County's definition of affordable housing; and

WHEREAS, the Applicant is proposing an indoor fitness room and outdoor walking areas on site; and

WHEREAS, based on precedent and offered amenities, the Town Board deems that a \$3,000 recreation fee per unit would be fair to all parties and would provide the Town with \$405,000 in revenue;

NOW, THEREFORE, BE IT RESOLVED, that the Applicant is required to pay \$3,000 per unit as part of a Recreation Fee.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

DRAFT

RESOLUTION

NO.

(APPROVE RELEASE OF RESTRICTIVE COVENANTS FOR 119 OREGON ROAD)

WHEREAS, the Town owns five lots shown on the filed map of the Waterbury Manor Subdivision; and

WHEREAS, the Town had been asked to agree to revise the use restrictions to allow for additional uses other than just a catering hall; and

WHEREAS, pursuant to Resolution 330-19, the Town Board authorized the Town Supervisor to execute a release of restrictive covenants to be held in escrow until final approval of zoning text amendments; and

WHEREAS, there were over 100 other neighboring residents who have signed the release of the restrictive of covenants; and

WHEREAS, a prior proposal was for an assisted living type facility, but the current proposal for an Active Adult Residential Community is a better fit for the Town since it will provide new housing options for a crucial segment of the Town's population;

NOW, THEREFORE, BE IT RESOLVED, that the Town is authorized to provide the executed Release of Restrictive Covenants to the Property Owner for recording in the Westchester County Clerk's Office.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

DRAFT

RESOLUTION

NUMBER _____

(RE: AUTHORIZE CONTRACTS WITH RESPECT TO SNOW PLOWING AND ICE CONTROL FOR THE 2021-2022 SEASON, BID#21-16)

WHEREAS, the Purchasing Director previously advertised for bids for **SNOW PLOWING AND ICE CONTROL** and:

WHEREAS, said bids were received and opened by the Purchasing Director on **SEPTEMBER 14TH, 2021**, and

WHEREAS, it is the recommendation of the Departments that the bid be awarded to all bidders and services utilized by the Department based on cost, seasonal availability of equipment, and equipment proposed.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be, and hereby is, authorized to execute a contracts in accordance with the bid specifications previously prepared.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
Town Clerk**

**Adopted on October 19, 2021
At a regular Meeting
Held at Town Hall.**

DRAFT

RESOLUTION

NUMBER _____

**RE: (AUTHORIZE A CONTRACT WITH RESPECT TO THE
AFFORDABLE CARE ACT)**

BE IT RESOLVED, that the Town Board of the Town of Cortlandt does hereby authorize a contract with Corporate Plans Inc. at a cost of \$16,000.00 (SIXTEEN THOUSAND) for Affordable Care Act (ACA) Employees Tracking and Reporting services to in compliance with federal regulations.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

DRAFT

RESOLUTION

NUMBER _____

(INTER-MUNICIPAL STEWARDSHIP PROGRAM FOR CROTON RIVER)

WHEREAS, the Croton Gorge area is a vital and vibrant part of our community accessible for recreation during the summer season; and

WHEREAS, the protection and preservation of this area is of vital importance; and

WHEREAS, by agreement, Croton, Ossining and the Town of Cortlandt have been participating in a Stewardship Program to provide for trained Stewards during the summer seasons; and

WHEREAS, the Town Board of the Town of Cortlandt desires to contribute some additional funding;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cortlandt is authorizing not more than \$3,000. in additional funds toward the cost of providing said Stewards, and the Comptroller is authorized to amend the budget as necessary for this purpose.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held via Zoom**

DRAFT

RESOLUTION

NO.

(RESOLUTION AUTHORIZING THE SUPPLYING OF AERATORS FOR WATER BODY FRONTING ON TOWN ROAD (WATCH HILL) AND AGREEMENT FOR OPERATING OF SAME)

WHEREAS, there is a lake abutting Watch Hill Road and the neighborhoods surrounding Lakeview Avenue and Lake Road; and

WHEREAS, Blue Mountain Middle School is located across the Street from the Lake; and

WHEREAS, the Lake is filled with invasive species, which are emitting an odor and are unsightly; and

WHEREAS, the residents located near the lake are willing to install electrical improvements for aerators which will cost approximately \$60,000; and

WHEREAS, the Applicants have requested that the Town purchase aerators to help return the Lake to its prior status as a healthy waterbody; and

WHEREAS, the Town owns Watch Hill Road and a property which directly abuts the Lake; and

WHEREAS, under New York State Town Law, the Town Board has the ability to provide solutions to abate public health nuisances; and

WHEREAS, the neighboring homeowners and the hundreds of students who attend Blue Mountain Middle School on a daily basis should be breathing healthy, non-malodorous air;

NOW, THEREFORE, BE IT RESOLVED, that the Town is authorized to purchase aerators in an amount not to exceed \$27,000 to improve the ecology of the Lake.

BE IT FURTHER RESOLVED that no money shall be expended until an agreement is reached with the abutting owners for the use and operation of the aerators.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted October 19, 2021
At a Regular Meeting
Held at Town Hall**

DRAFT

RESOLUTION

NUMBER _____

RE: (AUTHORIZE A SALARY INCREASE FOR PART-TIME EMPLOYEES AT YOUTH CENTER)

WHEREAS, John Palmiotto, Director of the Department of Recreation and Conservation and Katherine Sclafani, Director of the Youth Center have asked the Town Board to consider a salary increase for part-time employees at the Youth Center; and

WHEREAS, the Town Board has agreed to this request; and

NOW, THEREFORE, BE IT RESOLVED, all part time employees at the Youth Center are authorized an increase in accordance with the request of the Director of the Department of Recreation and Conservation, the Director of the Youth Center, Town Comptroller, Patricia Robcke; and

		2021	2021	NEW 2021
EMPLOYEE NAME	TITLE	RATE	RATE	RATE
		INCREASE		
		PER HOUR		
GIOVINCO, EMMA H	REC ATTENDANT	\$ 3.35	\$ 14.00	\$17.35
RIOS, PAOLA	REC ATTENDANT	\$ 2.35	\$ 15.00	\$17.35
GAUTHIER, DAWN V	REC ATTENDANT	\$ 1.35	\$ 18.00	\$19.35
GLASHOFF, JOHN R	REC ATTENDANT	\$ 0.35	\$ 19.00	\$19.35
MAHONEY, JOHN K	REC ATTENDANT	\$ 1.35	\$ 18.00	\$19.35
MORABITO-ROSE, MARIA	REC ATTENDANT	\$ 2.35	\$ 15.00	\$17.35
GLASHOFF, MATTHEW	REC ATTENDANT	\$ 3.35	\$ 14.00	\$17.35
MURPHY, JULIE A	REC ATTENDANT	\$ 3.35	\$ 14.00	\$17.35
FERRACANE, ROBYN R	REC ATTENDANT	\$ 3.35	\$ 14.00	\$17.35
BRENNAN JR, THOMAS J	REC ATTENDANT	\$ 3.35	\$ 14.00	\$17.35
RENCH, ADAM M	REC ATTENDANT	\$ 1.35	\$ 14.00	\$15.35
BOYLE, MEGAN A	REC ATTENDANT	\$ 1.35	\$ 14.00	\$15.35

BE IT FURTHER RESOLVED, The Town Comptroller is hereby authorized to amend the budget as necessary.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
Town Clerk**

**Adopted on October 19, 2021
At a regular Meeting
Held at Town Hall.**

DRAFT

RESOLUTION

NUMBER _____

(RE: AUTHORIZE THE REDUCTION OF SECURITY FROM THE AMOUNT OF \$425,000 TO \$162,892 WITH RESPECT TO THE PROPERTY KNOWN AS VALERIA)

WHEREAS, in accordance with Planning Board requirements a security was posted in the amount of \$7,800,000 in the form of a performance bond by Toll Land VI Partnership drawn on Hartford Fire Insurance Company, and

WHEREAS, the Planning Board previously has adopted Planning Board Resolution No. 3-14 recommending reducing the bond to \$6,200,000, Res. 15-15 recommending reducing the \$6,200,000 to \$4,995,000, Res. 11-17 recommending reducing the \$4,995,000 to \$1,430,000, Res. 28-18 recommending reducing \$1,430,000 to \$425,000 and Res. 14-21 recommending reducing \$425,000 to \$162,892, and

NOW THEREFORE BE IT RESOLVED BY, that the Town Board of the Town of Cortlandt does hereby reduce the security originally posted in the amount of \$7,800,000 in accordance with Planning Board requirements in the form of a Performance Bond No. 39BSBGG1370 by Toll Land VI Partnership and drawn on Hartford Fire Insurance Company to the amount of \$162,892 as recommended by the Planning Board.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUE SHATZKIN
Town Clerk**

**Adopted on October 19, 2021
At a Regular Meeting Held
at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

RE: (AUTHORIZE THE DIRECTOR OF TECHNICAL SERVICES TO ENTER INTO A CONSULTING SERVICE CONTRACT FOR THE DESIGN OF THE CORTLANDT VERPLANCK QUARRY PARK INFRASTRUCTURE)

WHEREAS, the Town of Cortlandt was the recipient of a \$6.4 million grant issued by the U.S. Economic Development Administration (EDA) for the design and construction of infrastructure improvements at the Cortlandt Verplanck Quarry Park (Quarry), a 99 acres parcel of land owned by the Town of Cortlandt in the Hamlet of Verplanck; and

WHEREAS, proposals were let on July 6, 2021 and sealed proposals were received and opened by DOTS on August 5, 2021; and

WHEREAS, four (4) sealed proposals were received in the following amounts:

Company Name	Phases I & II	Alternates	Sum of Phase I, II and Alternates	Phase III
Barton & Loguidice 247 Rt. 100, Suite 2000 Somers, NY 10589	\$296,000.00	\$47,400.00**	\$343,400.00	\$380,000.00
LaBella Associates / Chazen Companies 4 British American Blvd. Latham, NY 10567	\$313,000.00	\$69,500.00	\$382,500.00	\$340,000.00
Weston & Sampson 100 S. Bedford Rd. Suite 340 Mount Kisco, NY 10549	\$410,000.00	\$135,000.00	\$545,000.00	\$265,000.00
Dresdner Robin One Evertrust Plaza Suite 901 Jersey City, NJ 07302	\$588,282.00	N/A	\$588,282.00	\$579,590.00

** Original submitted proposal did not include a supplemental survey fee. When requested additional survey fee estimated not to exceed \$50,000.

and;

WHEREAS, Phase I includes preliminary design, estimate and schedule, Phase II includes construction documents and pre-bid process and Phase III includes post-bid and construction services; and

WHEREAS, cost to perform six (6) alternative tasks which include photometric analysis, streetscape design, traffic calming, sanitary sewer alternatives, evaluation of existing onsite were provided and additional survey fee were provided; and

WHEREAS, a committee consisting of the Director of Technical Services, Planning and Engineering Staff have reviewed the proposals, and

WHEREAS, the Director of Technical Services recommends awarding the consulting services contract to Barton and Loguidice for Phase I, Phase II and Alternatives in the amount of Three Hundred Forty-Three Thousand Four Hundred Dollars (\$343,400) only; and

WHEREAS, Phase III will be rebid and or a supplemental contract agreed to once Phases I and II and alternate tasks are complete and accepted by the Town; and

WHEREAS, 50% of the cost outlined above is subject to reimbursement through the EDA Grant.

NOW THEREFORE BE IT RESOLVED, that the Supervisor and Director of Technical Services be hereby authorized to execute the consultant service contract with Barton and Loguidice subject to review by the Town Attorney and approval of the same by the U.S. Department of Commerce Economic Development Administration.

BE IT FURTHER RESOLVED, that a design contingency be appropriated for Fifty Thousand Dollars (\$50,000.00) for unforeseen changes to the scope and supplemental survey and investigative work.

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to amend the budget with respect to the above.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ SHATZKIN
TOWN CLERK**

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

RESOLUTION

DRAFT

NUMBER _____

RE: (AUTHORIZE THE DIRECTOR OF TECHNICAL SERVICES TO ENTER INTO CONSULTING SERVICE CONTRACT FOR THE PROPOSED ANNSVILLE CREEK SANITARY SEWER DISTRICT & CCWD EXTENSION)

WHEREAS, the Town of Cortlandt sought proposals for qualified Consultants to prepare a feasibility assessment to be used to develop a map, plan and engineer’s report and the bid documents for sanitary sewer and water to service parcels along Annsville Circle / US Route 9 / Roa Hook Road; and

WHEREAS, proposals were let on August 16, 2021 and sealed proposals were received and opened by DOTS on September 17, 2021; and

WHEREAS, seven (7) sealed proposals were received in the following amounts:

Consultant	Phase I	Phase II	Sub-total Phase I and II	Phase III	Total Base Bid
CPL Arch., Eng. & Plng. 26 IBM Rd. Poughkeepsie, NY 12601	\$62,000.00	\$170,000.00	\$232,000.00	\$142,000.00	\$374,000.00
Weston & Sampson 100 S. Bedford Rd. Suite 340 Mount Kisco, NY 10549	\$40,900.00	\$312,400.00	\$353,300.00	\$189,800.00	\$543,100.00
Barton & Loguidice 247 Rt. 100 Suite 2000 Somers, NY 10589	\$85,600.00	\$204,300.00	\$289,900.00	\$272,900.00	\$562,800.00
Woodard & Curran Engineering 800 Westchester Ave. Suite N507 Rye Brook, NY 10573	\$415,900.00	\$119,100.00	\$535,000.00	\$264,000.00	\$799,000.00
Chazen 1 North Broadway Suite 803 White Plains, NY 10601	\$110,000.00	\$230,000.00	\$340,000.00	\$523,135.00	\$863,135.00
James J. Hahn Engineering, P.C. * Putnam Business Park 1689 Route 22 Brewster, NY 10509	\$75,475.00	\$326,125.00	\$401,600.00	\$452,975.00	\$854,575.00
D&B Engineers & Architects 4 West Red Oak Lane White Plains, NY 10604	\$146,300.00	\$1,275,500.00	\$1,421,800.00	\$1,087,500.00	\$2,509,300.00

and;

WHEREAS, Phase I includes the feasibility assessment, map, plan and report, Phase II includes comprehensive design bid documentation and Phase III includes post-bid construction administration and inspection services; and

WHEREAS, a committee consisting of the Director of Technical Services, Planning and Engineering Staff have reviewed the proposals, and

WHEREAS, the Director of Technical Services recommends awarding the consulting services contract to CPL Architecture, Engineering and Planning to complete Phase I and Phase II in the amount of Two Hundred Thirty-Two Thousand Dollars (\$232,000.00); and

WHEREAS, Phase II will be authorized at the direction of the Town of Cortlandt if a sanitary sewer district is formed and financing for construction is obtained; and

WHEREAS, Phase III will be rebid and or a supplemental contract agreed to once Phases I, II are complete and accepted by the Town; and

WHEREAS, 50% of the cost outlined above is subject to reimbursement by Westchester County up to a maximum of Seventy-Five Thousand Dollar (\$75,000.00).

NOW THEREFORE BE IT RESOLVED, that the Supervisor and Director of Technical Services are hereby authorized to execute the consultant service contract with CPL Architecture Engineering Planning subject to review by the Town Attorney and Westchester County.

BE IT FURTHER RESOLVED, that a design contingency be appropriated for Fifteen Thousand (\$15,000.00) for unforeseen changes to the scope.

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to amend the budget with respect to the above.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ SHATZKIN
TOWN CLERK**

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

RE: (AUTHORIZE DEPARTMENT OF TECHNICAL SERVICES (DOTS) TO APPLY TO THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION PUBLIC WORKS AND ECONOMIC ASSISTANCE GRANT PROGRAM FOR THE PROPOSED ANNSVILLE CREEK SANITARY SEWER DISTRICT AND CORTLANDT CONSOLIDATED WATER (CCWD) DISTRICT EXTENSION)

WHEREAS, as part of the Town's Economic Development initiative, the Town Board is desirous to bring sewer and water along Route 9 / Annsville Circle / Albany Post / Roa Hook Road.

RESOLVED, DOTS is authorized to apply to the US Department Commerce Economic Development Administration 2020 Public Works and Economic Assistance Grant Program for design and construction of the Annsville Creek Sanitary Sewer District & CCWD Extension

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ SHATZKIN
TOWN CLERK**

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

RE: (AUTHORIZE DEPARTMENT OF TECHNICAL SERVICES (DOTS) TO APPLY TO THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION PUBLIC WORKS AND ECONOMIC ASSISTANCE GRANT PROGRAM FOR THE DESIGN AND CONSTRUCTION OF A SANITARY COLLECTION AND TREATMENT SYSTEM FOR THE CORTLANDT / VERPLANCK QUARRY IMPROVEMENTS)

WHEREAS, the Town of Cortlandt was the recipient of a \$6.4 million grant issued by the U.S. Economic Development Administration (EDA) for the design and construction of infrastructure improvements at the Cortlandt Verplanck Quarry Park (Quarry), a 99 acres parcel of land owned by the Town of Cortlandt in the Hamlet of Verplanck; and

WHEREAS, the Town of Cortlandt is seeking additional funds to evaluate, design and construct a central sanitary collection and treatment system for this property and the surrounding area.

RESOLVED, DOTS is authorized to apply to the US Department Commerce Economic Development Administration 2020 Public Works and Economic Assistance Grant Program for the evaluation, design and construction of a central sanitary collection and treatment system for this property and surrounding area.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROU SHATZKIN
TOWN CLERK**

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

RE: (AUTHORIZE A SERVICE CONTRACT FOR THE PERMITTING, LICENSING, AND CODE SOFTWARE FOR THE DEPARTMENT OF TECHNICAL SERVICES)

WHEREAS, in order to meet the need automated and online applications and permitting in the Divisions of Code Enforcement, Planning and Zoning amplified by the COVID-19 Global Pandemic, the Town of Cortlandt sought proposals/qualifications from software vendors; and

WHEREAS, request for proposals were let on April 26, 2021 with the Town receiving five (5) sealed proposals on May 19, 2021 from the following firms:

OpenGov, Inc.
P.O. Box 41340
San Jose, CA 95160

Municipality/General Code
781 Elgrove Road
Rochester, NY 14624

Dumela
5608 17th Avenue
NW #979
Seattle, WA 98107

Tyler Technologies
2160 Satellite Blvd.
Suite 300
Duluth, GA 30097

Right Angle Solutions
5 Keswick Circle
Monroe, NJ 08831

and;

WHEREAS, a committee consisting of the Director of the Department of Technical Services, IT, Planning, and Engineering staff have reviewed the proposals, and

WHEREAS, the Committee recommends awarding the service contract to OpenGov,

Inc., P.O. Box 41340, San Jose, CA 95160; and

WHEREAS, the cost of said service is broken down as follows:

Start-up Cost and first year service: \$100,000.00

Annual Service Cost (year 2-3): \$45,000.00

for a three-year project cost of One Hundred Ninety Thousand Dollars (\$190,000.00) with contingency, beginning on the date of execution of a contract.

NOW THEREFORE BE IT RESOLVED, that the Supervisor, the Director of Technical Services and/or Purchasing Director be hereby authorized to execute the consultant service contract with OpenGov, Inc. subject to review by the Town Attorney.

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to amend the budget with respect to the above.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ SHATZKIN
TOWN CLERK**

**Adopted on October 19, 2021
At a Regular Meeting
Held at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

RE: (AUTHORIZE THE BID AND AWARD OF A REPLACEMENT BACKUP GENERATOR AT 1 MEMORIAL DRIVE “New York State Troopers Barracks”.)

WHEREAS, the existing backup generator at the 1 Memorial Drive Facility has failed beyond repair during the last power outage at the facility; and

WHEREAS, The Director of Environmental Services has reviewed with our generator repair contractor the cost of such repairs and has determined a replacement of the unit is more cost effective ; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Department of Environmental Services and the Director of Purchasing are authorized to seek proposals to furnish and place a replacement backup generator for the 1 Memorial Drive facility at a cost not to exceed \$26,000.

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
CORTLANDT
Laroue Shatzkin
Town Clerk**

**Adopted on October 19, 2021
at a Regular Meeting
Held at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

(RE: AUTHORIZE THE PURCHASE/LEASE OF DES VEHICLES)

WHEREAS, the department of Environmental Services has evaluated the Town fleet of vehicles and equipment and recommends the following additional purchases for 2021,

WHEREAS, the Comptroller and Director of the Department of Environmental Services have evaluated the proposed acquisitions and recommend certain vehicles be leased or purchased out of capital funds and/or fund balance; and;

WHEREAS, the following vehicles are currently recommended for replacement at this time:

- 2004 International Sanitation Truck (215)
- 1996 International Dump (91)

NOW THEREFORE BE IT RESOLVED, the Purchasing Director is hereby authorized to procure the following vehicles using existing municipal contracts, the NYS Office of General Services bid system, or accept bids consistent with Town policy:

- **(1)-6 Wheel Plow Truck 4x4 \$235,000**
- **(1)-Sanitation Packer Truck \$230,000**

and,

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to amend the budget accordingly to fund the purchases as deemed appropriate from capital and the fund balance.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ SHATZKIN
TOWN CLERK**

**Adopted on October 19, 2021
at a Regular Meeting
Held at the Town Hall**

DRAFT

RESOLUTION

NUMBER _____

(RE: AUTHORIZE BUDGET TRANSFERS AND AMENDMENTS)

RESOLVED, that the Town Board does hereby adopt Budget Amendment #1 as attached, and does hereby adopt Budget Transfers # 1, 2, 3, 4 and 5 and does hereby Authorize the Town Comptroller to implement same.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted on October 15, 2021
At a Regular Meeting
Held at the Town Hall**



**TOWN OF CORTLANDT
COMPTROLLER'S OFFICE**

DRAFT

**Linda D. Puglisi
Town Supervisor**

**Town Hall
1 Heady Street, Cortlandt Manor, NY 10567
914-734-1070
FAX 914-734-1077**

**Patricia Robcke
Town Comptroller**

**Town Board
Richard H. Becker
Debra A. Carter
James F. Creighton
Francis X. Farrell**

BUDGET AMENDMENT 1-2021

DEPARTMENT: Town-wide

FUND/ELEMENT : 10 Purchase of Real Property

INCREASE REVENUES:

010.0010.9000	Unexpended Fund Balance	AMOUNT: \$250,000
		TOTAL \$250,000

INCREASE APPROPS.

010.1620.0205	Purchase of Real Property	AMOUNT: \$250,000
		TOTAL \$250,000

EXPLANATION/JUSTIFICATION

Amend budget to appropriate fund balance for the purchase of property as approved by the Town Board on Resolution #160-21.

COMPTROLLER APPROVAL: _____

DATE: _____



**TOWN OF CORTLANDT
COMPTROLLER'S OFFICE**

DRAFT

Linda D. Puglisi
Town Supervisor

Town Hall
1 Heady Street, Cortlandt Manor, NY 10567
914-734-1070
FAX 914-734-1077

Patricia Robcke
Town Comptroller

Town Board
Richard H. Becker
Debra A. Carter
James F. Creighton
Francis X. Farrell

BUDGET TRANSFER REQUEST #1

DEPARTMENTS: Debt Service

FUND/ELEMENT : Special Districts

		<u>Line Items</u>	
TRANSFER FROM:	059.9730.0610	BAN Principal	\$ 32,700.00
	060.9730.0610	BAN Principal	48,189.00
	061.9730.0610	BAN Principal	45,000.00
	061.8130.0485	Bond Issue Exps	5,152.00

TOTAL 131,041.00

TRANSFER TO:	059.9730.0710	BAN Interest	\$ 32,700.00
	060.9730.0710	BAN Interest	48,189.00
	061.9730.0710	BAN Interest	45,000.00
	061.9730.0710	BAN Interest	5,152.00

TOTAL 131,041.00

EXPLANATION/JUSTIFICATION

Transfer funds for payment of BAN interest on Sewer Improvement District notes.

COMPTROLLER APPROVAL: _____

DATE: _____



TOWN OF CORTLANDT COMPTROLLER'S OFFICE

DRAFT

Linda D. Puglisi
Town Supervisor

Town Hall
1 Heady Street, Cortlandt Manor, NY 10567
914-734-1070
FAX 914-734-1077

Patricia Robcke
Town Comptroller

Town Board
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Francis X. Farrell

BUDGET TRANSFER REQUEST #2

DEPARTMENTS: Admin

FUND/ELEMENT : Townwide - Contractual

		<u>Line Items</u>	
TRANSFER FROM:	010.1900.0460	Contingency	\$ 100,000.00

TOTAL 100,000.00

TRANSFER TO:	010.1220.0114	Temporary Services	\$ 60,000.00
	010.1680.0444	IT - Equip/Software Maint	25,000.00
	010.1320.0453	Auditor Services	2,500.00
	010.1440.0456	Consultants	12,500.00

TOTAL 100,000.00

EXPLANATION/JUSTIFICATION

Transfer funds from Contingency Account for contractual services as previously agreed by the Town Board.
Economic Development Coordinator - TB Res #145-21
Social Media Coordinator - TB Res #43-21
Additional audit services regarding ARPA funding.
Dam inspections per TB Res #95-21 and# 96-21.

COMPTROLLER APPROVAL: _____

DATE: _____



**TOWN OF CORTLANDT
COMPTROLLER'S OFFICE**

DRAFT

Town Hall
1 Heady Street, Cortlandt Manor, NY 10567
914-734-1070
FAX 914-734-1077

Linda D. Puglisi
Town Supervisor

Patricia Robcke
Town Comptroller

Town Board
Richard H. Becker
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James F. Creighton
Francis X. Farrell

BUDGET TRANSFER REQUEST #3

DEPARTMENTS: TOV

FUND/ELEMENT : TOV - Contractual and Equipment

		<u>Line Items</u>	
TRANSFER FROM:	020.1990.0460	Contingency	\$ 100,000.00
		TOTAL	100,000.00
TRANSFER TO:	020.7110.0210	Parks Equipment	14,005.00
	020.7110.0413	Parks Supplies & Misc	25,000.00
	020.7110.0443	Building/Equipment Maintenance	10,400.00
	020.7180.0210	Equipment	11,405.00
	020.8020.0210	Equipment	1,265.00
	020.8010.0440	Zoning Board	254.50
	020.7620.0114	Temp Services	5,000.00
	020.8160.0210	Sanitation Equipment	405.58
	020.8160.0220	Sanitation Vehicles	32,264.92
		TOTAL	100,000.00

EXPLANATION/JUSTIFICATION

Transfer funds from Contingency to cover various costs including items previously agreed to by Town Board.
Storage shed approved by TB Res #208-20. Sanitation Mini Hook Truck per 2021 vehicle resolution.
Replacement parts for town playgrounds, misc. parks maintenance, wifi and phones at pool, and code enforcement services.

COMPTROLLER APPROVAL: _____

DATE: _____



TOWN OF CORTLANDT COMPTROLLER'S OFFICE

DRAFT

Linda D. Puglisi
Town Supervisor

Town Hall
1 Heady Street, Cortlandt Manor, NY 10567
914-734-1070
FAX 914-734-1077

Patricia Robcke
Town Comptroller

Town Board
Richard H. Becker
Debra A. Carter
James F. Creighton
Francis X. Farrell

BUDGET TRANSFER REQUEST #4

DEPARTMENTS: Highway

FUND/ELEMENT : Highway Fund

		<u>Line Items</u>	
TRANSFER FROM:	032.5110.0443	Building Maintenance	\$ 150,000.00

TOTAL 150,000.00

TRANSFER TO:	032.5112.0440	Judgements and Claims	\$ 150,000.00
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TOTAL 150,000.00

EXPLANATION/JUSTIFICATION

Transfer funds to cover various judgements and claims approved by Town Board.

COMPTROLLER APPROVAL: _____

DATE: _____



**TOWN OF CORTLANDT
COMPTROLLER'S OFFICE**

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BUDGET TRANSFER REQUEST #5

DEPARTMENTS: Seniors

FUND/ELEMENT : Townwide

Line Items

TRANSFER FROM: 010.6772.0443 Building Maintenance \$ 2,500.00

TOTAL 2,500.00

TRANSFER TO: 010.6772.0210 Equipment \$ 2,500.00

TOTAL 2,500.00

EXPLANATION/JUSTIFICATION

Transfer unused funds for the purchase of equipment.

COMPTROLLER APPROVAL: _____

DATE: _____